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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 ELMER A. HERNANDEZ,) NO. CV 08-07271 DDP (SS)
12)
13 Petitioner,) ORDER ADOPTING FINDINGS,
14)
15 v.) CONCLUSIONS AND RECOMMENDATIONS
16 B. CURRY, Warden,) OF UNITED STATES MAGISTRATE JUDGE
17)
18 Respondent.)
19 _____)
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21 Pursuant to 28 U.S.C. § 636, the Court has reviewed the First
22 Amended Petition, all of the records and files herein, and the
23 Magistrate Judge's Report and Recommendation. The time for filing
24 Objections to the Report and Recommendation has passed and no Objections
25 have been received. Accordingly, the Court accepts and adopts the
26 findings, conclusions, and recommendations of the Magistrate Judge.
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1 IT IS ORDERED THAT:

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3 1. The Petition is DENIED and Judgment shall be entered dismissing
4 this action with prejudice.

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6 2. The Clerk shall serve copies of this Order and the Judgment
7 herein by United States mail on Petitioner.

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9 DATED: August 19, 2009

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12 DEAN D. PREGERSON
13 UNITED STATES DISTRICT JUDGE
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